In Re House Judiciary Committee – Senate Bills 949/950 Wednesday, 25 August 2010

Good morning. My name is Sheilah Diane Larnhart and I am a Gulf War veteran; Desert Shield/Desert Storm. I am also the Senior Vice Commander and Post Adjutant for VFW Post 3943, Newport, Michigan.

I come here before you today to request your support of Senate Bills 949 and 950 (Increased Penalties for Destruction of Michigan's War Memorials and Michigan Stolen Valor Law) as supported by Senator Randy Richardville, Representaive Ebli and passed unanimously by the Michigan Senate. Before doing so, I would like to extend a heartfelt "thank you" to Senator Richardville and Representaive Kate Ebli for their support of my request for this very important legislation in honor of Michigan veterans. I would also like to thank the committee for their time and their attention to this matter.

I request your support of this law to protect and preserve the integrity of military service and for Michigan's brave men and women who now honorably serve, or have served, our great nation.

First, I would like to speak about our request for increased penalties for the destruction of war memorials. Our war memorials are "hallowed ground" as they are those sacred places in our communities which serve to honor and preserve the legacy of military service...service borne by Michigan's warriors. In addition, our war memorials also serve as part of our state's patriotic education for our youth and our citizens. And, especially for our children. We pass on the legacy of military service and patriotism to our children by our patriotic customs, traditions and experiences. The feelings, thoughts and experiences of patriotism are instilled in our children and validated, particularly, when they have a place to go, a piece of stone or bronze to touch; a flag to salute or a military story or fact is shared. Therefore, for our children; and, all of our citizens, we have a duty to protect our war memorials for generations to come by providing increased penalties for anyone who dares to destroy them.

Now, I would like to speak about stolen valor. An act of stolen valor is committed every time an individual embellishes or fabricates a military service record for personal gain or wears an unauthorized military service medal. Every time someone tells these lies, it dishonors our veterans; those who have committed the real acts of valor and who have earned the right to wear military service medals.

Only 10% of Americans bear the cost for the freedoms that the rest of us enjoy. These men and women have given time, life or limb in military service to protect the very freedoms that we hold dear.

Currently, as we support the Overseas Contingency Operation (formerly known as Global War on Terrorism), with operations in Iraq, Afghanistan, other overseas areas and for homeland defense, we are reminded daily that freedom isn't free.

An individual commits an act of stolen valor for many reasons: to be admired or to impress others; sometimes it is bar room talk. For others, it is a need to feel important; then they tell their false stories so many times that even they begin to believe them. Some embellish or fabricate a service record to gain an advantage over others in employment actions and some want to be seen as more desirable candidates for public office.

Lastly, and most importantly, individuals willingly and knowingly commit an act of stolen valor for fraudulent purposes: money, unearned VA medical benefits, for gifts or tickets to community and sporting events. For the committee's review, I have attached a number of recent articles on these imposters who have been caught committing acts of stolen valor.

A Michigan Stolen Valor Law is needed because there is no national database or centralized repository where all military personnel records are stored to access and verify military service, decorations or awards. We need laws at the federal and state levels to protect the honor, valor and service of our military veterans.

In requesting a Michigan law, I acknowledge the Federal Stolen Valor Act of 2005, as amended in 2006, by former President George W. Bush; I also acknowledge that federal law "trumps" state law

with regards to jurisdiction. Acknowledging federal jurisdiction, why do we need a Michigan Stolen Valor Law? We need a stolen valor law for these reasons:

- Messaging. We need to send a strong message to those who may contemplate committing an act of stolen valor that they will be held accountable. People need to know that there will be consequences for anyone who embellishes or fabricates a military service record for personal gain or who wears an unauthorized military service medal.
- Gratitude. Our veterans must know that we, the people of the State of Michigan, honor veterans. And, in gratitude for their military service, Michigan will shut down acts of stolen valor. We must let our military veterans know that we will hold accountable and punish those who falsely claim military acts of valor as their own.

This is important because of the increasing number of reports of stolen valor in the media. As phony veterans are exposed, real veterans are looked upon in a different light. People start to question the service of anyone who states that he or she is a veteran.

Personally, after having read numerous stories of phony veterans and their crimes, I now question folks a little more closely when they state they are a veteran. In the past, only a small number of people would disrespect military service by using it for their dishonorable actions. Unfortunately, that is not the case anymore. Our veterans do not deserve to have the honor and integrity of military service comprised in this way.

• Prosecution. At both the federal and state levels, we are now being tasked to do more with less. The federal government simply doesn't have the necessary resources to prosecute every person who commits an act of stolen valor. Therefore, if a Michigan Stolen Valor Law is enacted, it will provide a strong avenue for recourse. We could then prosecute and hold accountable those who these commit acts when federal resources are not available.

- <u>Budget</u>. As a citizen of our great state, I trust that any time some one requests the passage of any legislation, an analysis is done for impact on our state budget. It is my understanding that an analysis of the impact of this proposed legislation has been done and it is minimal/acceptable.
- <u>Precedent</u> There is precedent for in support of penalties for Stolen Valor. George
  Washington, General-Revolutionary War and 1st President of the United States of America.
  General Washington, in his General Orders, established the Badge of Military Merit (the precursor for the Purple Heart) and he said:

"Before this favor can be conferred on any man, the particular fact or facts on which it is to be grounded must be set forth to the commander-in-chief. The name and regiment of the person with the action so certified are to be entered in the Book of Merit; and, should any who are not entitled to these honors have the insolence to assume the badges of them, they shall be severely punished. This order is also to have retrospect to the earliest days of the war, and is to be considered as a permanent one." (I also note the stolen valor law of our sister state, Kentucky; A copy of the Kentucky Stolen Valor Act has been provided for you).

From the beginning, we, the people, have spoken and we have said, "stolen valor is wrong and destruction of our war memorials is wrong and those that commit these acts, these crimes, shall be severely punished."

Further, Michigan law must be consistent with other laws regarding the destruction of war memorials and stolen valor. Michigan must enact Senate Bills 949 and 950 in gratitude and to honor those who have honorably served our great nation because...it is simply the right thing to do.